

Interview Summary

Application No.
09/126,945

Applicant(s)
Libermann et al.

Examiner
Scott D. Priebe, Ph.D.

Group Art Unit
1632

All participants (applicant, applicant's representative, PTO personnel):

(1) Scott D. Priebe, Ph.D.

(3) Eric Steffe

(2) Gaby Longworth

(4) Jonathan Kline

Date of Interview Nov 30, 2001

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal (copy is given to 1) ☐ applicant 2) ☒ applicant's representative *by FAX*

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: 24 and 51, rest in general

Identification of prior art discussed:

GenBank Acc. No. AA930371

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Discussed potential remedies and pitfalls for amending claims to overcome 112, 1st para. rejections.

Double-patenting issue was discussed, suggested claims to recite reference sequence rather than first nucleic acid.

Examiner to FAX sequence alignment for 102(a) rejection.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Scott D. Priebe
SCOTT D. PRIEBE, PH.D.
PRIMARY EXAMINER
ART UNIT 1632

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Facsimile Cover Sheet

urgent ☐ return reply requested ☐ original will be sent as confirmation ☐

DATE: November 29, 2001**PHONE NO.:** (703) 746-3131**PAGES:** 1 (including this cover sheet)**TO:** United States Patent and Trademark Office**ATTN:** Scott D. Priebe, Ph.D., Primary Examiner
Technology Center 1600, Art Unit 1632**FROM:** Gaby L. Longsworth, Ph.D.**RE:** U.S. Utility Patent Application
Appl. No. 09/126,945; Filed: July 31, 1998
For: **Prostate Derived Ets Factor**
Inventors: **LIBERMANN et al.****OUR REF:** 1488.1090000/EKS/GLL**MESSAGE***Informal communication. Please do not make of record.*

At the interview tomorrow 11/30/01, Applicants' representatives wish to discuss:

- 1) the 35 USC 112, first paragraph, rejection of claims 24-26, 28-29, 31-32, 34-35, 37-38, 43-53, 55-56, 58-59, 61-62, 64-65, 67-74, 79, 81-82, 105, 107, 109, 111, 113-120, 125, 127, 132, 134-135, 144, 146-147 and 149-155 and whether incorporation of the functional limitation of claim 75 would overcome the rejection (instead of the current antibody binding limitation).
- 2) the 35 USC 112, first paragraph, rejection of claims 46, 48, 70, 72, 79, 81, 116, 118, 125, 127, 132, 134, 144 and 146 and alternative claim language.
- 3) the double patenting rejection; and
- 4) the 102(a) rejection

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